

1 **Gregory L. Spallas – SBN 129306**  
2 **Kristi A. Nguyen – SBN 241201**  
3 PHILLIPS, SPALLAS & ANGSTADT LLP  
4 650 California Street, 10<sup>th</sup> Floor  
5 San Francisco, California 94108  
6 Phone: (415) 278-9400  
7 Fax: (415) 278-9411

8 Attorneys for Defendant  
9 WAL-MART STORES, INC.

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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF THE UNITED STATES

JUANITA MARTINDALE, ) Case No. 2:04-cv-1909-MCE-GGH  
Plaintiff, )  
v. ) **REQUEST & ORDER FOR EXTENSION  
TO FILE DISPOSITIONAL  
DOCUMENTS**  
WAL-MART STORES, INC., and DOES 1 )  
through 10, inclusive )  
Defendants. )  
\_\_\_\_\_ )

TO THE COURT AND ALL PARTIES:

Defendant WAL-MART STORES, INC., by and through their respective attorneys of record, herein moves the Court to extend the deadline to **November 29, 2006** for complying with the Court's October 24, 2006 Order Re: Settlement and Disposition.

The current deadline for the parties to file dispositional documents is November 8, 2006. The parties agreed to settle the entire matter. Defendant received the settlement agreement, signed by Plaintiff, on November 3, 2006. Although Defendant is in the process of issuing the settlement draft, it is uncertain that Plaintiff will be in receipt of the draft by November 8, 2006. Pursuant to the terms of the settlement agreement, a Stipulation of Dismissal is to be filed after Plaintiff receives the settlement draft. An extension of time will allow each party to properly perform its obligations according to the terms of the agreement.

1 Dated: November 6, 2006

PHILLIPS, SPALLAS & ANGSTADT LLP

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/s/ Kristi-Nguyen

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By: Gregory L. Spallas  
Kristi A. Nguyen  
Attorneys for Defendant  
WAL-MART STORES, INC.

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**ORDER**

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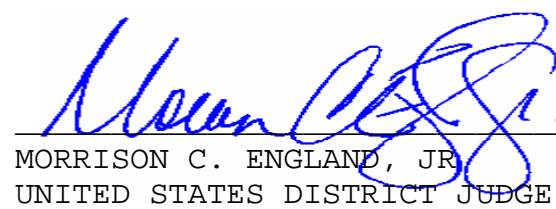
10 IT IS HEREBY ORDERED that pursuant to Local Rule 16-160, the dispositive  
11 documents in this matter are to be filed on or before November 29, 2006.

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Dated: November 7, 2006

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MORRISON C. ENGLAND, JR.  
UNITED STATES DISTRICT JUDGE

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